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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,451	04/12/2004	Chee-Shuen Lee	JCLA12897	4715

23900 7590 07/25/2006

J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

MRUK, GEOFFREY S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/823,451

Applicant(s)

LEE ET AL.

Examiner

Geoffrey Mruk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-26 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species:

Species 1, claims 1-7, drawn to an inkjet print head, comprising: a chamber layer, having at least a first ink channel and at least an ink chamber, formed on the surface of the ink chip, the ink chamber exposing the heater, the ink chamber connecting to the ink slot by the first ink channel, the ink chamber having a plurality of chamber walls with at least one of the chamber walls having a first area and a second area, the first area corresponding with the heater and an offset distance being between the first area and the second area.

Species 2, claims 8-13, drawn to an inkjet print head, comprising: a chamber layer, having at least a first ink channel and at least an ink chamber, formed on the surface of the ink chip, the ink chamber exposing the heater, the ink chamber connecting to the ink slot by the first ink channel, the ink chamber having a plurality of chamber walls and at least one of the chamber walls caves in to form at least a collecting room.

Species 3, claims 14-19, drawn to an inkjet print head, comprising: a nozzle plate, having at least a first ink channel, at least an ink chamber and at least a nozzle, positioned on the surface of the ink chip, the ink chamber exposing the heater and the ink chamber connecting to the ink slot by the first ink channel, the ink chamber having a plurality of chamber walls and at least one of the chamber walls having a first area and

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a second area, the first area corresponding to the heater and an offset distance being between the first area and the second area, and the nozzle being above the heater and corresponding to the ink chamber.

Species 4, claims 20-24, drawn to an inkjet print head, comprising: a nozzle plate, having at least a first ink channel, at least an ink chamber and at least a nozzle, positioned on the surface of the ink chip, the ink chamber exposing the heater and the ink chamber connecting to the ink slot by the first ink channel, the ink chamber having a plurality of chamber walls, at least one of the chamber walls caving in to form at least a collecting room, and the nozzle being above the heater and corresponding to the ink chamber.

Species 5, claim 25, drawn to an inkjet print head, comprising: an ink chip, having a top surface and an opposing bottom surface, and having a first outer edge along a periphery of the chip; a chamber layer, having at least a first ink channel and at least an ink chamber, formed on the top surface of the ink chip, the ink chamber exposing the heater, the ink chamber connecting with an ink reservoir by the first ink channel, the first ink channel allowing ink to flow from the ink reservoir, around the first outer edge of the chip, and to the ink chamber, the ink chamber having a plurality of chamber walls with at least one of the chamber walls having a first area and a second area, the first area corresponding with the heater and an offset distance being between the first area and the second area.

Species 6, claim 26, drawn to an inkjet print head, comprising: an ink chip, having a top surface and an opposing bottom surface, and having a first outer edge

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along a periphery of the chip; a nozzle plate, having at least a first ink channel, at least an ink chamber and at least a nozzle, positioned on the surface of the ink chip, the ink chamber exposing the heater and the ink chamber connecting with an ink reservoir by the first ink channel, the first ink channel allowing ink to flow from the ink reservoir, around the first outer edge of the chip, and to the ink chamber, the ink chamber having a plurality of chamber walls with at least one of the chamber walls having a first area and a second area, the first area corresponding with the heater and an offset distance being between the first area and the second area to form at least one collecting room, the nozzle being above the heater and corresponding to the ink chamber.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

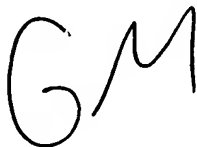
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey Mruk whose telephone number is 571 272-2810. The examiner can normally be reached on 7am - 330pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GSM
7/17/2006



STEPHEN MEIER
SUPERVISORY PATENT EXAMINER